

EXHIBIT 3. JUNE 24, 2022, FIRST AOD EMAIL



VIA EMAIL

June 24, 2022

Kimberly S. Hermann
Southeastern Legal Foundation
560 West Crossville Rd., Ste 104
Roswell, Georgia 30075

Dear Ms. Hermann:

This is in response to your June 9, 2022 request for access under the Freedom of Information Act (FOIA) (5 U.S.C. § 552), to records related to all emails from the accounts of robinware456@gmail.com, JRBWare@gmail.com and Robert.L.Peters@pci.gov preserved through the National Archives and Records Administration for which you have requested expedited processing. The Archival Operations Division received your request on June 9, 2022, and we have assigned this request tracking number 2022-0113-F.

With respect to your expedition request, the National Archives and Records Administration (NARA) has promulgated regulations providing for expedited processing of requests if the requester demonstrates a compelling need (as defined in statute) or in any case the agency deems appropriate under its regulations. NARA's regulations are published at 36 C.F.R. § 1250.28. The requester must demonstrate that the records sought are necessary for one of the following reasons:

1. A reasonable expectation of an imminent threat to an individual's life or physical safety;
2. A reasonable expectation of an imminent loss of a substantial due process right;
3. An urgent need to inform the public about an actual or alleged Federal Government activity (this criterion applies only to those requests made by a person primarily engaged in disseminating information to the public); or
4. A matter of widespread and exceptional media interest in which there exist possible questions that affect public confidence in the Government's integrity.

We do not consider your request to meet the requirements for expedited processing provided for in NARA's regulations at 36 C.F.R. § 1250.28(3) or 36 C.F.R. § 1250.28(4). You have provided no evidence that there is an urgent need to inform the public about all emails from the accounts of robinware456@gmail.com, JRBWare@gmail.com and Robert.L.Peters@pci.gov or that the records requested are necessary to understand an actual or alleged Federal government activity. Additionally, you have not made a case that there exists a widespread and exceptional media interest in the topic of your request that would show that there exists a question that affects public confidence in the Government's integrity.

If you have any questions regarding the status of your FOIA request, please contact me directly at 202-357-5403. If you have any questions or concerns about NARA's handling of this expedited request, please feel free to contact NARA's FOIA Officer Joe Scanlon at (301) 837-0583.

If you consider my response to be a denial of this request, you may appeal by writing to the Deputy Archivist of the United States, c/o the Archival Operations Division, National Archives and Records Administration, 700 Pennsylvania Avenue, NW, Room G-7, Washington, DC 20408-0001 or email presidential.materials@nara.gov. Both the letter and the envelope or email subject line should be clearly marked "PRA/FOIA Appeal." To be considered timely, your appeal must be postmarked or electronically submitted within 90 calendar days from the date of this letter.

If you would like to discuss our response before filing an appeal to attempt to resolve your dispute without going through the appeals process, you may contact our FOIA Public Liaison Stephannie Oriabure for assistance at: Archival Operations Division, National Archives and Records Administration, 700 Pennsylvania Avenue, NW, Room G-7, Washington, DC 20408-0001; email at libraries.liaison.nara@nara.gov; telephone at 202-357-5200; or facsimile at 202-357-5941.

You may also contact the Office of Government Information Services (OGIS), the Federal FOIA Ombudsman's office, for assistance. OGIS offers mediation services to help resolve disputes between FOIA requesters and Federal agencies. The contact information for OGIS is: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road – OGIS, College Park, MD 20740-6001; email at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Sincerely,



STEPHANNIE ORIABURE
Director
Archival Operations Division

cc: Joe Scanlon
FOIA Officer, National Archives and Records Administration